



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit SUP #2018-0088

Approved by Planning and Zoning: October 15, 2018

Permission is hereby granted to: The Snack Bar, LLC

to use the premises located at: 2419 Mount Vernon Avenue

for the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

October 15, 2018
Date


Karl Moritz, Director
Department of Planning and Zoning

DATE: October 15, 2018

TO: Tony LaColla, Division Chief
Department of Planning and Zoning

FROM: Katherine Carraway, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2018-0088
Administrative Review for Special Use Permit for a Restaurant
Site Use: Restaurant
Applicant: The Snack Bar, LLC
Location: 2419 Mount Vernon Avenue
Zone: CL/Commercial Low and Mount Vernon Avenue Urban
Overlay

Request

Special Use Permit (SUP) #2018-0088 is a request to operate a new restaurant concept in an existing restaurant tenant space. The existing restaurant, The Snack Bar, has closed and its owner intends to renovate the space and reopen with a new restaurant concept and menu.

The applicant proposes a total of 120 seats – 100 indoors and 20 outdoors. Indoor operating hours are proposed from 6 a.m. to 11 p.m., Sunday through Thursday, and 6 a.m. to 12 a.m., Friday and Saturday, and outdoor dining hours from 6 a.m. to 10 p.m., daily. Limited live entertainment and on-premises alcohol service is permitted. The applicant expects to serve up to approximately 150 patrons per day and will employ up to 15 staff per day.

Background

A restaurant has operated pursuant to Special Use Permits at this location since 1997 with several changes in ownership. Amendments to previous SUPs have been approved in the last 20 years, including an increase in indoor seating, the addition of outdoor seating, an increase in hours of operation, two parking reductions for a total of 12 spaces, and the permitting of on-premises alcohol services and limited live entertainment.

Parking

A 2,000 square foot restaurant within the enhanced transit area is required to provide two parking spaces and the first 20 outdoor dining seats are exempt from providing parking. Given that Section 8-100(9) provides an exemption from providing parking spaces if the requirement is two or less, the applicant is not required to provide off-street parking.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, the Del Ray Citizens Association and Arlandria Civic Association received notification of the SUP request. Staff received comments regarding pests and noise between

floors from residents who reside above the first-floor restaurant space. The applicant/property owner responded to his tenants' concerns.

Staff Action

Staff supports the applicant's request for a restaurant at this location given that a restaurant has operated at this site for several years. Staff finds this proposal to be in compliance with the specific standards for restaurants within the Mount Vernon Overlay, and is in accordance with the intent of the Mount Vernon Overlay, which encourages small-scale, neighborhood serving commercial uses. Staff has included standard conditions for restaurants.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: October 15, 2018

Action: Approved



Tony LaColla, Division Chief

Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2018-0088

The owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. The maximum number of indoor seats at the restaurant shall be 100. (P&Z)
3. Outdoor dining shall be accessory to the indoor restaurant with a maximum number of 20 outdoor seats. No part of the outdoor dining use, including planters, wait stations, and barriers shall encroach onto the public right-of-way unless authorized by another encroachment ordinance. The outdoor seating area shall not include advertising signage, include on umbrellas. (P&Z)
4. The hours of operation shall be limited to 6 a.m. to 11 p.m., Sunday through Thursday, and 6 a.m. to midnight, Friday and Saturday. The outdoor dining area shall be cleared of all patrons by 10 p.m. Sunday through Thursday, and by 11 p.m. Friday and Saturday. (P&Z)
5. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)
6. Meals ordered before the closing hour may be served, but no new patrons may be admitted, no new meals may be ordered and no alcohol served after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z)
7. The outdoor dining area shall be cleared and washed at the close of each business day that it is in use. (P&Z)
8. Limited live entertainment may be permitted inside the restaurant only. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. (P&Z)
9. On-premise alcohol, beer and wine sales consistent with a valid ABC license are permitted. Alcohol service is limited to table service. No alcohol sales for off-premises consumption are permitted. (P&Z)
10. Any exterior renovations shall be consistent with the Mt. Vernon Avenue Design Guidelines. (P&Z)
11. The applicant shall require its employees who drive to use off-street parking. (T&ES)

12. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
13. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
14. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)
15. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
16. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
17. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
18. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
19. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
20. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
21. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
22. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

23. The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
24. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
25. The Director of Planning and Zoning shall review the Special Use Permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation; or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Recommendations:

- R-1 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-2 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
- R-3 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
- R-4 The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)
- R-5 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-6 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-7 If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
- R-8 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
- R-9 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
- R-10 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)

- R-11 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-12 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-13 Live entertainment and the use of large screen TV are not allowed for outdoor dining area.
- R-14 The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-15 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)

City Code Requirements:

- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Fire

- C-1 A new or updated (to reflect new business and ownership) fire prevention permit is required for this location.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2018-0088. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant at 2419 Mt. Vernon Avenue.


Applicant – Signature

10-18-18
Date

SCOTT MITCHELL
Applicant – Printed

10-18-18
Date

